

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

SAMANTHA K.,	:	Case No. 3:23-cv-268
	:	
Plaintiff,	:	
	:	
vs.	:	District Judge Thomas M. Rose
	:	Magistrate Judge Karen L. Litkovitz
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Karen L. Litkovitz (Doc. No. 14), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

The Court **ORDERS** that:

- (1) Plaintiff's statement of errors (Doc. No. 10) is **SUSTAINED**;
- (2) The Commissioner's prior finding shall be **REVERSED**;
- (3) This case shall be **REMANDED** to the Social Security Administration under Sentence Four of Section 405 of the Social Security Act, 42 U.S.C. § 405(g), for an immediate award of benefits based on plaintiff's April 17, 2009 DIB application (protectively filed) and March 31, 2009 SSI application (protectively filed); and
- (4) This case is **TERMINATED** on this Court's docket.

DONE and **ORDERED** in Dayton, Ohio, this Monday, June 24, 2024.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE